THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	**Criminal No. 16-30 Erie**
	:	
RICK WEAVER BUICK GMC, INC.	:	
ADAM JAMES WEAVER	:	
DOUGLAS ALAN GROOMS	:	
ADAM BRAYTON COOVER	:	

THIRD MOTION TO EXTEND PRE-TRIAL MOTION DEADLINE ON BEHALF OF DEFENDANT, RICK WEAVER BUICK, GMC, INC.

RICK WEAVER BUICK, GMC, INC., by and through its counsel, MICHAEL A. AGRESTI, ESQUIRE, files the following Motion to Extend Pre-Trial Motion Deadline, and in support thereof, states as follows:

1. The defendant, Rick Weaver Buick GMC, INC., has been indicted for alleged violations at 18 U.S.C. §1349 and 1343.

2. The defendant's initial appearance and arraignment occurred on Monday, September 26, 2016 before U.S. Magistrate Judge Susan Paradise Baxter. The defendant entered its plea of Not Guilty. Judge Baxter notified the defense that it had fourteen (14) days in which to file any applicable pre-trial motions.

3. A Motion to Extend Pre-Trial Motion Deadline was filed on or about October 3, 2016. That Motion was granted and the defense was granted until December 20, 2016 in which to file any and all pre-trial motions in the above-captioned case.

. 4. A subsequent Motion for Extension of Time to File Pre-Trial Motions was filed on December 20, 2016. Pursuant to an Order of Court, the defendant was given until March 1, 2017 in which to file any and all pre-trial motions.

5. The defense has sent two supplemental requests for discovery to the Government. Defense counsel has received discovery; however, after review of the voluminous documents, counsel believes he has not received all applicable discovery at this time.

6. Assistant United States Attorney Chris Trabold, and defense counsel have had the opportunity to meet in person to review the discovery issues. At that time, it was determined that the Government has not yet been able to provide all of the documentation to the defense, including but not limited to documentation from three separate lending institutions which were involved in the transactions which led to certain counts in the Indictment.

7. The defense has also specifically requested that the Government review statements from witnesses and/or co-defendants to determine whether any *Brady* material exists which should be provided to the defense.

8. Since those issues have not yet been resolved, and since the Government acknowledges that all of the discovery has not yet been provided to the defense, the defense would be prejudiced if required to file pre-trial motions at this time.

9. This specific request for an additional extension has been reviewed with Assistant United States Attorney Chris Trabold. He consents to this request.

10. The defendant is not prejudiced by this request and corresponding request for extension/waiver of his Speedy Trial rights.

11. Therefore, the defense is requesting an additional ninety-(90) day extension from March 1, 2017 to June 1, 2017 in which to file any and all applicable pre-trial motions.

WHEREFORE, it is respectfully requested that the defendant, Rick Weaver Buick, GMC, INC., be given ninety (90) days from March 1, 2017, or on or about June 1, 2017, in which to file any pretrial motions pursuant to the Federal Rules of Criminal Procedure.

Respectfully submitted,

MARSH SPAEDER BAUR SPAEDER & SCHAAF, LLP

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